

Environmental Compliance Certification Program

Certification Checklist Package

For

Exterior Lead Paint Removal Contractors



March 2005



Rhode Island Department of Environmental Management
Office of Technical and Customer Assistance
235 Promenade Street
Providence, RI 02908
(401) 222-6822

www.dem.ri.gov

Section 1.0 - Compliance Certification Instructions

This Certification Checklist Package accompanies the Certification Workbook for Exterior Lead Paint Removal. In order to improve environmental protection at less cost to both government and business, the Exterior Lead Paint Removal Certification Program offers exterior lead paint removal contractors the opportunity to self-certify to the Rhode Island Department of Environmental Management (DEM) that they are complying with the environmental protection requirements that apply to exterior lead paint removal. This common sense approach to regulation holds great promise for making it easier for the exterior paint removal contractors to meet - and surpass - applicable Rhode Island environmental regulations. Although participation is voluntary, there are benefits to participating in the program:

- Receiving information and education on methods of complying with environmental regulations that apply to removing exterior lead paint
- Making you better prepared for a random inspection of work being performed
- Entitling you to free technical assistance from DEM's Office of Technical & Customer Assistance to comply with environmental regulations.
- Being placed on a public list of certified paint contractors on DEM's website
- Using your DEM Certification as a marketing tool with customers
- Receiving a Certificate of Participation from DEM
- Receiving educational and promotional materials

It is highly recommended that contractors thoroughly read the Certification Workbook before beginning to complete the Participation Form & Certification Checklist.

There are two certification forms found in this package that are used in the program:

1. Participation Form & Certification Checklist

This form contains a series of questions that pertain to contractor operating procedures and regulatory requirements (DEM Regulation # 24, "Removal of Lead Based Paint from Exterior Surfaces, Effective 27 April 1993", and the Federal Pre-Renovation Education Rule, for example). Prior to participating

in the program and being included in the list of certified exterior paint removal contractors, the form must be completed and submitted to DEM. Every two (2) years thereafter, the certification form must be updated and resubmitted to continue participation in the program. You should keep a copy of this completed form for your records.

2. Project Checklist

This form is completed for each project conducted, prior to work beginning, that involves exterior lead paint removal. A copy of a completed Project Checklist must be given to the owner or occupant where exterior paint removal operations are being conducted. It is not necessary (not a program requirement) to submit a copy of these completed forms to DEM, but you may keep copies of these forms for your own records if you wish.

As the Workbook states, this program covers certification of environmental regulatory requirements pertaining to exterior lead paint removal, and does not cover OSHA requirements.

It is very important to remember that you must comply with all applicable federal and state environmental regulatory requirements, whether or not you participate in the program.

1.1 How Do I Fill Out the Compliance Certification Forms?

1. Read the accompanying **Certification Workbook** to understand your state and federal environmental responsibilities pertaining to exterior lead paint removal.
2. Make a copy of the **Certification Participation Form & Checklist** to use as a working draft.
3. Read the checklist, and complete all of the questions.
4. Review your **Certification Participation Form & Checklist** for completeness. Once complete:
 - √ Copy your answers from the draft to the original
 - √ Sign the certification statement
 - √ Make a copy of the completed certification checklist for your files
 - √ Mail the original signed copy to DEM.

1.2 How do I submit a Compliance Certification?

To begin receiving benefits of program participation, complete the Participation Form & Certification Checklist, and mail it to DEM as soon as possible. Mail the completed certification checklist form to:

Rhode Island Department of Environmental Management
Exterior Lead Paint Removal Certification Program
Office of Technical and Customer Assistance
235 Promenade Street
Providence, RI 02908-5767

It's That Simple!

1.3 What if I have questions about the program, or completing the form?

Contact DEM at (401) 222-6822, Ext. 4412

1.4 Blank Forms

Blank copies of the following forms are provided in this package, so that you can make copies from them and use them for exterior lead paint projects that you conduct/perform:

- "Project Checklist", required to be provided to the owner or occupant where paint removal operations are being conducted.
- "Notification Of Removal Of Lead Based Paint", required by DEM Air Pollution Regulation # 24.
- "Confirmation of Receipt of Lead Pamphlet", required by the federal Pre-Renovation Education Rule.
- "Renovation Notice", required by the federal Pre-Renovation Education Rule (For use in notifying tenants of renovations in common areas of multi-family housing).
- "Record of Tenant Notification Procedures", required by the federal Pre-Renovation Education Rule (Procedures Used For Delivering Notices to Tenants of Renovations in Common Areas).

All of these forms provided in this booklet are single sided, for ease of copying. Forms that have more than one page, such as the "Project Checklist" and "Notification Of Removal Of Lead Based Paint", can be copied double sided to reduce the amount of paper.

The Participation Form & Certification Checklist is found on the next page.

Note: This booklet is a public document, and is not copyrighted. It may be reproduced for educational purposes, but may not be sold for profit.

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Rhode Island Department of Environmental Management Exterior Lead Paint Removal Certification Program 2005 Certification Participation Form & Checklist

Anyone engaged in the removal of lead-based paint from exterior surfaces must comply with all applicable state and federal environmental regulations, including the Rhode Island Department of Environmental Management's (DEM) Air Pollution Control Regulation No. 24, as well as federal pre-renovation education requirements. Compliance certification helps individuals and contractors avoid violations and costly penalties, while protecting the environment. *Participation in this program qualifies individual companies to be placed on the DEM list of certified painting contractors, which is posted on the Department's website.*

- Please read the Certification Workbook before completing this form -

Section A: Business Information

Business Name: _____

Business Street Address: _____ **Phone #:** _____

City/Town: _____ **Fax #:** _____

State/Zip Code: _____ **Number of Employees:** _____

Contact Person: _____

Owner Name: _____
(Please Print)

E-mail Address: _____ (Optional)

Average Number of Exterior Paint Removal Contracting Jobs per Year: _____

Section B: Federal Pre-Renovation Education Rule (406(b))

(<http://www.epa.gov/lead/leadinfo.htm#remodeling>)

B1 Federal regulation requires that contractors, property managers, and others who perform renovations for compensation (including paint removal of more than 2 sq. ft.) in residential houses and apartments that may contain lead-based paint (built before 1978) provide the EPA pamphlet titled, *"Protect Your Family from Lead in Your Home"* to owners and occupants and receive a signed statement of receipt of the pamphlet before starting work. Do you meet this requirement?

☐ Yes

☐ No

Section C: Air Pollution Control Regulation # 24 Compliance Checklist (Site Preparation)

C1 Does your business remove exterior lead paint in preparing the surface for repainting?
(Any dwelling that is older than 1978 could contain lead-based paints)

☐ Yes

☐ No

If you answered **"Yes"**, please continue to C.2. If you answered **"No"**, your business is exempt from Regulation # 24, but must still comply with Regulation # 5, "Fugitive Dust". If **"Not Sure"**, please read below:

According to RIDEM Regulation # 24, "Lead-based paint" means any surface coating material that contains more than 0.05% lead by weight calculated as lead metal in the dried solid. To determine if paint does not contain lead, laboratory testing can be performed on paint chips samples at nominal cost by local environmental analytical laboratories.

**Please answer the following questions regarding compliance with Regulation # 24:
Do you certify that the following is done?**

- C2.** When removing exterior lead paint, do you inform, in writing, adults living in the structure from which the paint is being removed at least five days prior to the removal project?
- ☐ Yes ☐ No
- C3.** When removing exterior lead paint, do you inform in writing, all adults living in residences, managers of businesses, and principals of schools located within fifty (50) feet of the structure undergoing lead paint removal at least five (5) days prior to the removal project?
- ☐ Yes ☐ No
- C4.** Do you adequately cover the ground at the removal site such as with an impenetrable tarpaulin, to collect lead paint debris?
- ☐ Yes ☐ No
- C5.** Do you remove items like toys, play equipment, and furnishing within fifty (50) feet of the lead paint removal project, or cover them with an impenetrable material?
- ☐ Yes ☐ No
- C6.** If you notice lead paint debris falling beyond the ground sheeting, do you extend the ground cover or erect vertical containment?
- ☐ Yes ☐ No
- C7.** Do you submit a plan to DEM's Office of Air Resources for approval prior to starting any paint removal operations for structures other than buildings? *(The plan must describe the type of removal to be utilized and measures to be employed for preventing contamination of the environment with lead)*
- ☐ Yes ☐ No

Section D: Air Pollution Control Regulation # 24 Compliance Checklist (Approved Removal Methods)

- D1.** Do you certify to use only the following methods when removing exterior lead paint?
- ☐ Yes ☐ No (If "No", See D2)

Please check methods used:

- ☐ Wet Manual Scraping: Paint surfaces must be misted with water just prior to scraping
- ☐ HEPA Equipped Mechanical Sanding or Scraping: Allowed as long as sander or scraper is equipped with a HEPA vacuum unit. Sanding pad or scraping disc cannot be wider than the shingle or clapboard exposure. All doors and windows on paint removal side must be closed and sealed. Air conditioners must be shut off and covered.
- ☐ HEPA Equipped Dry Abrasive: Abrasive-blasting system must be equipped with a HEPA vacuum that collects paint debris at the blasting head. All doors and windows on paint removal side must be closed and sealed. Air conditioners must be shut off and covered.

- ☐ Wet Abrasive: Vertical containment must be used to prevent any and all debris generated by the operation from going beyond ground sheeting. Any and all liquid waste containing lead must be collected and handled in accordance with DEM Solid and Hazardous Waste Regulations (see Cleanup/Disposal Compliance).
- ☐ Heat Removal: No open flame is permitted. Heat gun devices cannot exceed 1,000 °F.
- ☐ Chemical Removal: Allowed as long as stripper is nonflammable and contains no methylene chloride.

D2. If you use methods other than the above, including high pressure power washing that removes lead paint, you must comply with the following:

*A description of alternative methods for paint removal **must** be submitted to, and **approved** by DEM's Office of Air Resources, **prior to removing paint**. To request approval for an Alternative Procedure, you must seek approval from DEM's Office of Air Resources, 235 Promenade Street, Providence, RI 02908-5767, Attn: Mr. Ted Burns, (401) 222-2808, or Fax: (401) 222-2017.*

Do you certify that you comply with this requirement?

☐ Yes ☐ No

Section E: Clean-up/Disposal Compliance Checklist

Do you certify that the following is done?

E1. At the end of each day, do you collect all lead paint-related debris, including liquid waste, in containers, and store them in an area not easily accessible to the public

☐ Yes ☐ No

E2. At the end of each day, do you inspect the area for leftover lead paint debris, and remove sheeting and store it away from public access?

☐ Yes ☐ No

E3. At the end of the project, do you properly dispose of all containers of lead paint debris and liquid waste, including sheeting and ground cover, and inspect the area for lead paint debris?

☐ Yes ☐ No

E4. Do you dispose of lead paint and debris in accordance with DEM Solid and Hazardous Waste Regulations, using one of the methods listed below:

- Disposed of as household solid waste by homeowner/occupant or their representative, through use of curb side collection, community sponsored transfer station, or household hazardous waste collection
- Removed from site and tested to determine whether material is solid waste or hazardous waste; with disposal through an intermediate facility, that facility could be considered a generator of hazardous waste. (see Disposal Guidelines)
- Removed from commercial or industrial property, managed per DEM Rules & Regulations for Hazardous Waste Management

☐ Yes ☐ No

Air Pollution Control Regulation # 24 found at <http://www.state.ri.us/dem/pubs/regs/REGS/AIR/AIR24-93.PDF>

Additional Information - Regulation # 24 found at <http://www.state.ri.us/dem/pubs/regs/regs/air/leadchuz.htm>

Section F: Election to Participate & Certification Statement

I _____, hereby declare the following:

1. That I elect to participate in DEM's Exterior Lead Paint Removal self-certification program
2. That I have personally examined and am familiar with the information contained in this submittal, including any and all documents or attachments accompanying this certification statement.
3. That the information that I have provided and is contained in this submittal is, to the best of my knowledge, true, accurate, and complete.
4. That I am authorized to make this attestation on behalf of this business.

NOTES:

1. **By participating in this program, you are entitled to promote your company's participation in the Rhode Island Department of Environmental Management's Exterior Lead Paint Removal Certification Program. Also, your company information will be placed on list of Certified Exterior Lead Paint Removal Contractors on the DEM website at <http://www.state.ri.us/dem/programs/benviron/assist/index.htm>.**
2. **As a program participant, in addition to submitting this completed form, you agree to:**
 - Complete and give a completed *Project Checklist* to owners or occupants where exterior lead paint removal operations are being conducted before the project is begun.
 - As required by federal law, provide a copy of the pamphlet, *Protect Your Family from Lead in Your Home*, to owners/occupants of pre-1978 housing where paint removal activities will take place before starting work, and obtain a signed acknowledgement of receipt of the pamphlet.

NOTE: All contractors operating in the State of Rhode Island (whether certified or not) are subject to random/targeted inspections, and MUST be in compliance with environmental regulations at all times.

I certify that the information that I have provided in this form is true, accurate and complete, to the best of my knowledge.

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Complete and Return this form to:

**Rhode Island Department of Environmental Management
Exterior Lead Paint Removal Certification Program
Office of Technical and Customer Assistance
235 Promenade Street
Providence, RI 02908-5767**

Please keep a copy of this Form & Checklist for your records

BLANK FORMS



**Rhode Island Department of Environmental Management
Exterior Lead Paint Removal Certification Program
Project Checklist**

*This form must be completed and provided to the owner/occupant before the project is begun
Owner/Occupant: Keep this Checklist for Your Records*

Section A: Contractor Information

Business Name: _____

Street Address: _____ Phone #: _____

City/Town: _____ Zip Code: _____

Contact Person: _____ Owner: _____

Name of Owner/Occupant, and address of home where exterior lead paint removal will be conducted:

Check off the following requirements in each Section, that must be complied with

Section B: Federal Pre-Renovation Education Rule (406(b))

(<http://www.epa.gov/lead/leadinfo.htm#remodeling>)

- B1** Federal regulation requires that contractors, property managers, and others who perform renovations for compensation (including paint removal of more than 2 sq. ft.) in residential houses and apartments that may contain lead-based paint (built before 1978) provide the EPA pamphlet titled, ***“Protect Your Family from Lead in Your Home”*** to owners and occupants and receive a signed statement of receipt of the pamphlet before starting work.

☐

Section C: Air Pollution Control Regulation # 24 Compliance Checklist (Site Preparation)

- C1.** At least five (5) days prior to the exterior lead paint removal project, the following persons were informed in writing about the project: adults living in the structure from which the paint is being removed; and all adults living in residences, managers of businesses and principals of schools located within fifty (50) feet of the structure undergoing lead paint removal.
- C2.** Ground will be adequately covered (such as with a impenetrable tarpaulin) and all toys, play equipment, and furnishings within fifty (50) feet of the lead paint removal project will be removed or covered with a leak proof material.
- C3.** If lead paint debris is noticed falling beyond the ground sheeting, ground cover will be extended, vertical containment shrouds will be erected.
- C4.** If applicable, a plan will be submitted to DEM’s Office of Air Resources for approval prior to starting any lead paint removal operations for structures other than buildings *(The plan must describe the type of removal to be utilized and measures to be employed to prevent contamination of the environment with lead.)*

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Section D: Air Pollution Control Regulation # 24 Compliance Checklist (Approved Removal Methods)

D1. Check which of the following methods will be used when removing exterior lead paint on this project

- ☐ (a) Wet Manual Scraping: Paint surfaces must be misted with water just prior to scraping
- ☐ (b) HEPA Equipped Mechanical Sanding or Scraping: Allowed as long as sander or scraper is equipped with a HEPA vacuum unit that immediately captures all abrasive, dust, paint, or other debris generated by the operation. Sanding pad or scraping disc cannot be wider than the shingle or clapboard exposure. All doors and windows on paint removal side must be closed and sealed. Air conditioners must be shut off and covered.
- ☐ (c) HEPA Equipped Dry Abrasive: Abrasive-blasting system must be equipped with a HEPA vacuum that collects paint debris at the blasting head. All doors and windows on paint removal side must be closed and sealed. Air conditioners must be shut off and covered.
- ☐ (d) Wet Abrasive: Vertical containment must be used to prevent any and all debris generated by the operation from going beyond ground sheeting. Any and all liquid waste containing lead must be collected and handled in accordance with DEM Solid and Hazardous Waste Regulations (see Section D).
- ☐ (e) Heat Removal: No open flame is permitted. Heat gun devices cannot exceed 1,000 °F.
- ☐ (f) Chemical Removal: Allowed as long as stripper is nonflammable and contains no methylene chloride.
- ☐ (g) I will not use any of the above methods. I have obtained in writing from DEM's Office of Air Resources, approval for use of alternative methods for paint removal, that is required prior to removing paint.

Section E: Cleanup/Disposal Compliance Checklist

E1. The project will comply with daily and end of project cleanup, inspection, and storage requirements ☐

E2. Disposal method to be used for lead paint removed and debris

- ☐ (a) Disposed of as household solid waste by homeowner/occupant or their agent, through use of curb side collection, community sponsored transfer station, or household hazardous waste collection
- ☐ (b) Removal from site and tested to determine whether material is solid waste or hazardous waste; with disposal through intermediate facility, that facility could be considered a generator of hazardous waste
- ☐ (c) Removed from commercial or industrial property, managed per DEM Rules & Regulations for Hazardous Waste Management

I certify that the above information is accurate and complete for exterior lead paint removal activities for this project.

Signature: _____ Date: _____

**Rhode Island Department of Environmental Management
Office of Technical & Customer Assistance
235 Promenade Street
Providence, RI 02908
Telephone: (401) 222-6822, Ext. 4412
Fax: (401) 222-3810**

NOTIFICATION OF REMOVAL OF LEAD BASED PAINT

By Certified Exterior Lead Paint Removal Contractor
(Required 5 days in advance of starting date)

Please be advised that lead based paint is about to be removed from the exterior of a structure at the address below.

Address

City/Town, State, Zip

Approximate dates for starting and finishing the project are:

from: _____ to: _____

Lead paint removal is to be done by:

Company Name

Name of Responsible Individual

Address

City/Town, State, Zip

This company has certified with the Department of Environmental Management for environmental regulatory compliance pertaining to removal of exterior lead paint

Certified Exterior Lead Paint Removal Contractor # _____

Method(s) to remove the lead based paint will be:

The paint which will be removed from this structure contains lead. Exposure to lead is unhealthy, particularly to young children. For a copy of Regulation 24 and a summary of the requirements, check the Regulations section at the Department's website at <http://www.state.ri.us/dem>, or call DEM's Office of Technical and Customer Assistance at (401) 222-6822. For information about lead poisoning prevention, call the Department of Health Lead Hotline at (800) 942-7434.

Complaints about improper removal:

8:30 a.m. to 4:00 p.m. weekdays	DEM Office of Compliance and Inspection	(401) 222-1360
At other times	DEM Law Enforcement	(401) 222-3070

All requirements of Rhode Island Air Pollution Control Regulation 24 entitled, " Removal of Lead Based Paint from Exterior Surfaces" must be followed by any person (whether a homeowner or a contractor) who removes paint from the exterior of any structure. Regulation 24 and other pertinent information may be obtained from the Regulations section of the DEM's website at <http://www.state.ri.us/dem>, or by calling:

**Department of Environmental Management
Office of Technical and Customer Assistance
(401) 222 - 6822, 8:30 a.m. to 4:00 p.m. weekdays**

Written notice of the lead paint removal project must be given to the following individuals at least five (5) days prior to starting any exterior lead paint removal:

- **Adults residing in the structure from which lead paint is being removed, and**
- **Adults in residences located within 50 feet of the structure undergoing lead paint removal, and**
- **Owners, agents or property managers of the structure and/or of any building located within 50 feet of the structure undergoing lead paint removal, and**
- **Owners, agents or managers of businesses or organizations located in the structure or within 50 feet of the structure undergoing lead paint removal, and**
- **Principals of schools and the chief administrative officer of every school located within 50 feet of the structure undergoing lead paint removal.**

Request DEM approval to remove lead paint with power washing/pressure washing equipment, or the use of any method not approved in Regulation 24, by contacting DEM's Office of Air Resources at (401) 222-2808 from 8:30 a.m. to 4:00 p.m. weekdays.

Lead paint removal by any procedure considered an alternative procedure, or from structures other than buildings, must not begin until a written approval is issued by DEM's Office of Air Resources.

Questions about disposal of hazardous waste may be directed to DEM's Office of Technical and Customer Assistance (401) 222- 6822, from 8:30 a.m. to 4:00 p.m. weekdays.

Supplemental Information

Contractors: For information about worker protection, contact Providence Area OSHA at (401) 528-4669

Confirmation of Receipt of Lead Pamphlet

I have received a copy of the pamphlet, ***Protect Your Family From Lead in Your Home***, informing me of the potential risk of the lead hazard exposure from renovation activity to be performed in my dwelling unit. I received this pamphlet before the work began.

Printed name of recipient

Date

Signature of recipient

Self-Certification Option (for tenant-occupied dwellings only)—

If the lead pamphlet was delivered but a tenant signature was not obtainable, you may check the appropriate box below.

☐

Refusal to sign — I certify that I have made a good faith effort to deliver the pamphlet, *Protect your Family From Lead In Your Home*, to the rental dwelling unit listed below at the date and time indicated and that the occupant refused to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit with the occupant.

☐

Unavailable for signature — I certify that I have made a good faith effort to deliver the pamphlet, *Protect Your Family From Lead In Your Home*, to the rental dwelling unit listed below and that the occupant was unavailable to sign the confirmation of receipt. I further certify that I have left a copy of the pamphlet at the unit by sliding it under the door.

Printed name of person certifying
lead pamphlet delivery

Attempted delivery date and time

Signature of person certifying
lead pamphlet delivery

Unit Address

Note Regarding Mailing Option — *As an alternative to delivery in person, you may mail the lead pamphlet to the owner and/or tenant. Pamphlet must be mailed at least 7 days before renovation (Document with a certificate of mailing from the post office)*

Renovation Notice — For use in notifying tenants of renovations in common areas of multi-family housing.

The following renovation activities will take place in the following locations:

Activity (e.g., sanding, window replacement)

Location (e.g., lobby, recreation center)

The expected starting date is _____ and the expected ending date is _____. Because this is an older building built before 1978, some of the paint disturbed during the renovation may contain lead. You may obtain a copy of the pamphlet, *Protect Your Family From Lead in Your Home*, by telephoning me at _____. Please leave a message and be sure to include your name, phone number and address. I will either mail you a pamphlet or slide one under your door.

Date

Printed name of renovator

Signature of renovator

Record of Tenant Notification Procedures — *Procedures Used
For Delivering Notices to Tenants of Renovations in Common Areas*

Project Address:

Street (apt. #)

City State Zip Code

Owner of multi-family housing Number of dwelling units

Method of delivering notice forms (*e.g. delivery to units, delivery to mailboxes
of units*)

Name of person delivering notices

Signature of person delivering notices Date of Delivery